

PROB 12B
(7/93)

Report Date: February 24, 2010
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

FEB 26 2010

Eastern District of Washington

**JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Thomas Shippentower

Case Number: 2:07CR02074-001

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen

Date of Original Sentence: 5/27/2008

Type of Supervision: Supervised Release

Original Offense: Crime on Indian Reservation-
Sexual Abuse of a Minor, 18 U.S.C. §§ 1153 and
2243(a)

Tentative Supervision Start Date: 03/26/2010

Original Sentence: Prison - 30 Months; TSR - 60
Months

Tentative Supervision Expiration Date: 03/25/2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 28 You shall not reside or loiter within 500 feet of places where children congregate, which includes playgrounds, primary and secondary schools, city parks, daycare centers, and arcades. This condition shall supersede special condition number 21.

CAUSE

On December 17, 2009, the U.S. Probation Office investigated a Bureau of Prisons' supervision release plan for the defendant in Toppenish, Washington. The proposed residence was found to be approximately 700 feet from a secondary school, in violation of special condition number 21, which prohibits the defendant from residing within 1,000 feet of a primary or secondary school. The proposed release address appears to be a good residence for the defendant as it belongs to his brother, who is employed with the Yakama Nation Housing Authority, and is within walking distance to treatment centers and public service agencies. Mr. Shippentower remains detained at the Franklin County Work Release Center in Pasco, Washington, and is scheduled to commence his term of supervised release on March 26, 2010.

Based on the above information, this officer recommends the defendant's conditions of supervision be modified as noted above. Contact with the government and defense counsel revealed they had no objection to this officer's request. Enclosed is a waiver signed by the defendant agreeing to the proposed modification should Your Honor concur.

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Re: Shippentower, Thomas

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

2/24/10

Jane Vagner

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other

L. Shultz

Signature of Judicial Officer

2/25/10

Date